

ESTTA Tracking number: **ESTTA768637**

Filing date: **09/04/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91212834
Party	Plaintiff Edge Games, Inc.
Correspondence Address	TIM LANGDELL EDGE GAMES INC 530 S LAKE AVE # 171 PASADENA, CA 91101-3515 UNITED STATES uspto@edgegames.com, tim@edgegames.com
Submission	Motion to Amend Pleading/Amended Pleading
Filer's Name	Tim Langdell
Filer's e-mail	tim@edgegames.com, uspto@edgegames.com
Signature	/Tim Langdell/
Date	09/04/2016
Attachments	MotionAmendOpposition.pdf(324761 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

EDGE GAMES, INC.)	
)	
)	
Opposer,)	
)	
vs.)	Opposition No.: 91212834
)	
)	Applications Serial No. 79067304
MOBIGAME)	
)	
Applicant.)	
)	

**OPPOSER'S REQUEST TO AMEND GROUNDS
FOR OPPOSITION**

Pursuant to FRCP 15(a) and any other pertinent Trademark law or rule, Opposer hereby requests the right to amend its grounds of opposition to include basing the opposition on two U.S. Trademark Registrations owned by Opposer, both of which registrations are highly relevant to these proceedings.

Opposer is owner of Trademark Registration No. 3713604 for the mark EDGE in relation to computer games and related goods and services. The mark was filed on August 3, 1994 and matured to the US register on January 29, 1999. This mark has achieved incontestability in trademark law.

Opposer is also owner of Trademark Registration No.4958033, once again for the mark EDGE and once again for goods and services in relation to computer games. This mark was applied for on October 15, 2010 and matured to the US register on May 17, 2016.

The reason Opposer is adding reliance on these two US registrations at this time and did not reference them in the original opposition filing is because it has only recently been settled that Opposer is the owner of these two registrations. Thus it is both appropriate and timely that Opposer's grounds be enhanced to include the basis of these two highly pertinent registrations at this time.

These two registrations are clearly highly relevant to these proceedings: they are both for the identical mark to that applied for by Applicant ("EDGE") and are also both for goods and services relating to computer games, and thus are for goods and services which are either identical to those applied for by Applicant, or directly related to those applied for by Applicant. The older of the two registrations owned by Opposer dates from 1994, with a 1999 registration date, and has achieved incontestability. This registration alone gives Opposer the *prima face* right to judgment in its favor on the grounds that Opposer already owns a trademark registration for the same mark and (essentially) the same goods.

It is thus critical to a fair decision on this case that Opposer be permitted to amend its Opposition accordingly at this time since the amendment adds crucial, determinative information. Opposer thus wishes to have its Opposition deemed to add the fact that it is relying on its two EDGE registrations, and that these registrations go to priority of rights as well as to dilution and other pertinent grounds relating to the ownership of trademark registrations, registered and common law use of these new marks in question, likelihood of confusion as to the true source of goods and services in the minds of consumers, and so forth. This request should thus please be granted.

DATE: September 2, 2016

/Tim Langdell/

By: Dr. Tim Langdell, CEO.
Opposer in *Pro Se*
Edge Games Inc

530 South Lake Avenue, 171
Pasadena, CA 91101
Tel: 626 449 4334
Fax: 626 844 4334
Email: Tim@edgegames.com

CERTIFICATE OF SERVICE

I hereby certify that pursuant to CFR 2.101(b), on September 2, 2016, a true and correct copy of the foregoing OPPOSER'S REQUEST TO AMEND GROUNDS FOR OPPOSITION was served via U.S. Mail and email on Registrant's counsel:

PATRICK J CONCANNON
NUTTER MCLENNEN & FISH
155 SEAPORT BLVD
BOSTON, MA 02210-2698

/Tim Langdell/
Dr. Tim Langdell

2 September 2016